

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEFFERY S. SIKES,

Defendant.

4:15CR3128

ORDER

After reviewing the motion for protective order, (Filing No. 23), the undersigned magistrate judge questions whether this court has jurisdiction to, and/or should abstain from, ruling on a motion that effectively quashes a subpoena issued in a state court case, and whether the parties in the state action received notice of the pending federal motion.

Accordingly,

IT IS ORDERED:

1) On or before August 3, 2016, defense counsel shall file a certificate of service affirming that all attorneys in the state case (including counsel for both the plaintiff and the defendants in the state case) have received a copy of the federal motion for protective order and supporting brief.

2) Counsel for the defendant and for the government in this federal lawsuit are given until August 17, 2016 to file a brief outlining the legal authority and jurisdiction this court has, if any, to issue a protective order with respect to a state court subpoena, in the absence of which the motion will be summarily denied.

3) The clerk shall mail a copy of this order to Jared Krejci, Leininger Smith Johnson Baack Placzek & Allen, PO Box 790, 104 N Wheeler St., Grand Island, NE, 68802-0790.

July 27, 2016.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge